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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 JENNIFER SANCHEZ,

9 Plaintiff,

10 v.

11 KEVIN K. McALEENAN, Acting  
12 Secretary, United States Department of  
Homeland Security, Immigration and  
Customs Enforcement,<sup>1</sup>

13 Defendant.

C17-1353 TSZ

MINUTE ORDER

14 The following Minute Order is made by direction of the Court, the Honorable  
Thomas S. Zilly, United States District Judge:

15 (1) Plaintiff's motion in limine, docket no. 74, is GRANTED in part, DENIED  
16 in part, and DEFERRED in part as follows:

- 17 1. Motion to exclude evidence not disclosed prior to close of discovery  
is DEFERRED and the parties should be prepared to identify any  
18 such evidence at the Pretrial Conference;
- 19 2. Motion to exclude evidence of discipline imposed against  
Immigration and Customs Enforcement ("ICE") agents after plaintiff  
20 initiated this lawsuit is DEFERRED to the Pretrial Conference;

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22 <sup>1</sup> The Clerk is DIRECTED to correct the docket to reflect the correct spelling of the Acting  
Secretary's last name.

3. Motion to exclude reference to related administrative decisions including those made by the Merit Systems Protection Board and/or the Equal Employment Opportunity Commission is GRANTED;
4. Motion to exclude evidence related to any driving under the influence (“DUI”) allegations and/or DUI-related charges against plaintiff prior to March 18, 2014, is DENIED;
5. Motion to exclude untimely disclosed expert opinions of William Partin contained in his supplemental report is DENIED; motion to exclude testimony beyond the scope of the individual’s expertise is DEFERRED to trial;
6. Stipulated motion to exclude the testimony of Melissa Tillet, any reference to statements made by Tillett, and any documents produced by or obtained from Tillett is GRANTED;
7. Stipulated motion to exclude the testimony of Yakima Police Officer Ryan Urlacher is DEFERRED to the Pretrial Conference;
8. Stipulated motion to limit evidence concerning plaintiff’s prior termination and related lawsuit is DEFERRED to the Pretrial Conference; and
9. Stipulated motion to exclude any witness not disclosed in discovery is GRANTED.

(2) Defendant’s motion in limine, docket no. 72, is DENIED in part and DEFERRED in part as follows:

- A. Motion to exclude unfavorable evidence regarding Yakima Police Officer Ryan Urlacher is DENIED;
- B. Motion to exclude the expert report and testimony of Thomas Missell is DENIED;
- C. Motion to exclude testimony in support of plaintiff’s character is DENIED;
- D. Motion to exclude allegations about other employees that are cumulative or lack foundation is DEFERRED to the Pretrial Conference;
- E. Motion to exclude irrelevant testimony about alleged comparators is DEFERRED to the Pretrial Conference; at the Pretrial Conference,

1 plaintiff shall produce proposed exhibits 129 and 130 for the Court's  
2 review; and

3 F. Motion to exclude evidence regarding discrete employment actions  
4 against plaintiff by other decision makers is DEFERRED to the  
5 Pretrial Conference.

6 (3) Defendant's motion to excuse potential jurors from viewing "unconscious  
7 bias" video, docket no. 73, is DEFERRED to the Pretrial Conference.

8 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of  
9 record.

10 Dated this 11th day of September, 2019.

11 William M. McCool  
12 Clerk

13 s/Karen Dews  
14 Deputy Clerk